

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TED DOUKAS, SYNGEN DATA )  
SERVICES CORPORATION, TED )  
DOUKAS, as a shareholder of SYNGEN )  
DATA SERVICES, TED DOUKAS, as a )  
joint venture partner with CLAUDIO )  
BALLARD, TED DOUKAS as an equitable )  
owner of all patents and technology owned by )  
CLAUDIO BALLARD or his purported )  
assignees, TED DOUKAS as an equitable )  
owner of all patents and technology owned by )  
DataTreasury Corp., TED DOUKAS as )  
owner of certain technology and assets )  
produced by a joint venture with CLAUDIO )  
BALLARD, TED DOUKAS as a 50% )  
equitable owner of DataTreasury Corp., an )  
assignee of CLAUDIO BALLARD'S )  
ownership of certain technology developed by )  
the joint venture and unknown Defendants )  
named John and Jane Does "1" through )  
"750", TED DOUKAS as the constructive )  
and beneficial owner of all settlements and )  
licensing agreements relating to certain )  
technology created by virtue of a joint TED )  
DOUKAS as a joint venture owner of the )  
assets of a joint venture partnership )  
commonly referred to as "the *Doukas/Ballard* )  
*joint venture*", )  
)  
Plaintiffs, )  
)  
-against- )  
)  
CLAUDIO BALLARD, KEITH DELUCIA )  
a/k/a "KEITH WICKEY", a/k/a "KEITH )  
DOYLE", SHEPHARD LANE, )  
UNIDENTIFIED DEFENDANTS JOHN )  
AND JANE DOES "1" THROUGH "750", )  
UNIDENTIFIED CORPORATE ENTITIES )  
"1" THROUGH "75", UNKNOWN )  
LICENSES AND BANKING )  
INSTITUTIONS "1" THROUGH "75", )  
DATATREASURY CORP., KEITH )  
DELUCIA a/k/a "KEITH WICKEY", a/k/a )

No. 2:11-cv-03275-ADS -WDW

**NOTICE OF APPEARANCE OF  
OLIVIA E. MARBUTT FOR  
M&T BANK CORP.**

Judge: Joseph F. Bianco  
Magistrate: William D. Wall

“KEITH DOYLE” as an owner of shares in )  
 DataTreasury Corporation, SHEPHARD )  
 LANE, as an owner of shares in DataTreasury )  
 Corporation, CLAUDIO BALLARD, as an )  
 owner of shares in DataTreasury Corporation, )  
 SYNGEN CORPORATION, CLAUDIO )  
 BALLARD as an owner of shares in )  
 SYNGEN CORPORATION, CLAUDIO )  
 BALLARD as the fiduciary to TED )  
 DOUKAS and SYNGEN DATA SERVICES )  
 CORPORATION, CLAUDIO BALLARD as )  
 the Constructive trustee of TED DOUKAS’ )  
 interest in the technology created by a joint )  
 venture, PETER LUPOLI, VIRGINIA )  
 LUPOLI, CSP HOLDINGS INC., HAROLD )  
 NIX (individually), NIX PATTERSON AND )  
 ROACH, LLP, BANK OF AMERICA, )  
 WELLS FARGO, CITIBANK, BANK )  
 HAPOALIM, BANCORPSOUTH, INC. )  
 INTUIT INC., KEYCORP and KEYBANK )  
 NATIONAL ASSOC., JP MORGAN CHASE )  
 & CO., INGENICO, JP MORGAN CHASE )  
 BANK, M&T BANK CORP., MERRILL )  
 LYNCH, UNION BANK OF CALIFORNIA, )  
 PNC FINANCIAL SERVICES GROUP, )  
 CHARLES SCHWAB & CO., INC. and )  
 CHARLES SCHWAB BANK, MERRILL )  
 LYNCH, PIERCE, FENNER & SMITH, )  
 INC., PNC FINANCIAL SERVICES )  
 GROUP, THE ROYAL BANK OF )  
 SCOTLAND GROUP, SUNTRUST BANK, )  
 INC., WELLS FARGO & COMPANY, )  
 BANK OF TOKYO-MITSUBISHI UFJ, )  
 LTD., THE BANK OF NEW YORK )  
 MELLON CORPORATION, THE BANK OF )  
 NEW YORK MELLON, CITIGROUP, INC., )  
 CITIBANK, N.A., CITY NATIONAL )  
 BANK, COMMUNITY BANKING )  
 SYSTEMS, BRANCH BANKING AND )  
 TRUST CORPORATION, )  
 COMERICABANK, COMERICA )  
 INCORPORATED, COMPASS )  
 BANCSHARES, INC., COMPASS BANK, )  
 DEUTSCHE BANK, EDWARD D. JONES )  
 & CO., L.P., HSBC NORTH AMERICA )  
 HOLDINGS INC., HSBC BANK USA, N.A., )

FIRST TENNESSEE BANK NATIONAL )  
ASSOCIATION, CULLEN/FROST )  
BANKERS, INC. and THE FROST )  
NATIONAL BANK, )

Defendants.

[illegible]

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\_\_\_\_\_)  
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New York, New York

Please take notice that Olivia E. Marbutt respectfully enters her appearance on behalf of Defendant M&T Bank Corp. in the above captioned matter.

Dated: August 11, 2011

JONES DAY

By: /s/ Olivia E. Marbutt

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**CERTIFICATE OF SERVICE**

Olivia E. Marbutt, certifies and declares under penalty of perjury pursuant to 28 U.S.C § 1746 that on August 11, 2011, she caused the annexed Notice of Appearance of Olivia E. Marbutt for M&T Bank Corp. to be served on the following counsel of record by CM/ECF and e-mail:

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I declare under penalty of perjury that the foregoing is true and correct.

/s/ Olivia E. Marbutt

Olivia E. Marbutt